

SUPPLEMENT

TO

The London Gazette

Of FRIDAY the 8th of MAY.

Published by Authority.

MONDAY, MAY 11, 1857.

Council-Office, Whitehall, May 6, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have made the following ORDINANCE, dated the 19th day of February, 1857, in relation to MERTON COLLEGE, otherwise called the HOUSE or COLLEGE of SCHOLARS of MERTON, in the UNIVERSITY of OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the Commissioners appointed for the Purposes of the Statute 17th and 18th Vict. c. 81, in relation to MERTON COLLEGE, otherwise called the HOUSE or COLLEGE of SCHOLARS of MERTON, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the Seventeenth and Eighteenth Years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise

called the House or College of Scholars of Merton, in the said University:—

1. The election of the Warden of the said College shall be vested in such Fellows of the College present at the time of election as shall have completed two years from the day of their admission as actual Fellows. As soon as it shall have become known that a vacancy has occurred in the office of Warden, the Sub-Warden, or in his absence the Senior Fellow in residence, shall convene a meeting of such Fellows as shall then be residing in the College. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or the Senior Fellow in residence, as the case may be, shall convene a meeting of the electors for that day and hour. The day of election shall be not less than twenty nor more than sixty days from the day on which the occurrence of the vacancy shall have become known. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The votes of the electors shall be openly taken, and that person in whose favour the greatest number of votes shall have been given, shall be declared elected. If the votes shall be equal, the Sub-Warden, or in his absence the Senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or Senior Fellow present at the election, as the case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being, or is unfit for the office. If the Visitor shall refuse to confirm the election he shall notify such refusal to the Sub-Warden, or the Senior Fellow present at the election, as the case may be; and the Fellows qualified as aforesaid shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect three persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the Senior

Fellow present at the last-mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being fit and qualified as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided, that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows qualified to vote in the election of the Warden, convene a meeting of the Fellows so qualified, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if, upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate such one of the Fellows as, by the vote of the greatest number of the Fellows qualified as aforesaid, and present at a meeting convened by the Sub-Warden, shall be chosen and presented to the Visitor for the purpose, if in his judgment fit for the office, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Warden; except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the

duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The election of Fellows shall be vested in the Warden and such of the Fellows present at the time of election as shall have completed two years from the day of their admission as actual Fellows. That candidate shall be deemed elected for whom the greatest number of the electors present shall have voted. If there shall be an equality of votes the Warden shall have an additional casting vote.

6. The Warden and Fellows shall from time to time divide the Fellowships as nearly as may be into two moieties, whereof one moiety shall be termed Clerical Fellowships, and shall always be held by persons who have taken, or have declared their intention to take, Holy Orders. No person shall be eligible to a Clerical Fellowship who shall not either be a Deacon or Priest of the United Church of England and Ireland, or declare that he intends to take Holy Orders in the said Church; and a period of five years from the day of election shall be allowed to every person so declaring, within which he shall take Deacon's Orders at the least, or in default thereof shall vacate his Fellowship. Subject to the above provision, no Fellow shall be required, as a condition of retaining his Fellowship, to enter into Holy Orders, or, not being in Holy Orders, to study theology.

7. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained), and notice of every election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden, in such manner as he shall deem best adapted to ensure publicity, at least thirty days before the day of election.

8. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of his being or not being of the kindred of Walter de Merton, or by reason of his pecuniary circumstances. No person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the electors shall choose that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship; provided that it shall be lawful for the Warden and Fellows, if they shall think fit, to grant such Fellow a year of grace.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession either by descent or devolution, or by virtue of any testamentary or other gift or settle-

ment, for his life or for any greater estate, to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an ecclesiastical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls) clear of deductions (except for property or income-tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given.
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Any Fellow who shall marry or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall (not being a

private Hall), by two-thirds of the votes of the Warden and all the Fellows qualified as aforesaid: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would be otherwise vacated.

16. Every Professor, Public Lecturer, or Principal of a Hall elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 13 and 15, shall upon ceasing to hold such Professorship, Public Lectureship, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Warden and Fellows qualified as aforesaid, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College shall thereupon vacate his Fellowship.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of sickness or infirmity.

20. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

21. It shall be lawful for the Warden and Fellows to suspend indefinitely, or for such periods as they may think proper, the election to the first and eleventh Fellowships which shall become vacant after the approval of this Ordinance, and to apply the emoluments of the Fellowships or Fellowship so suspended to the augmentation of the number or of the stipends or allowances of the Postmasters, Scholars, and Exhibitioners within the College, or to the maintenance or endowment of Lectureships within the College, or partly to some and partly to others of those objects, in such manner and proportions as the Warden and Fellows shall from time to time determine.

22. The third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof, to an amount not exceeding Eight hundred pounds *per annum*, shall be applied to the maintenance of a Professorship of Physiology, to be called the "Linaere Professorship of Physiology," which shall be established within the Uni-

versity under the provisions of an Ordinance or Ordinances hereafter to be made by us the said Commissioners, or other the Commissioners, exercising the powers of the said Act, or, in default thereof, by a Statute or Statutes of the University, which Statute or Statutes shall be subject to the consent of the Warden and Fellows. If the aggregate emoluments of those four Fellowships shall in any year exceed Eight hundred pounds, the surplus beyond that sum shall fall into and be part of the general revenues of the College.

23. For the purposes of this Ordinance any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved by Her Majesty in Council shall be considered as having become vacant immediately after such approval.

24. The emoluments of the Fellowships which the Warden and Fellows are hereby empowered or directed not to fill up shall be the sums which would in each year have been payable to the holders of the same Fellowships, if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes or Regulations of the College in force for the time being.

25. The number of Fellowships within the College shall never be less than eighteen (exclusive of Fellowships which the Warden and Fellows are hereby directed or empowered not to fill up), unless the Visitor shall think fit, on a petition in writing subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Postmasters, Scholars, or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education. The Warden and Fellows shall not be bound by virtue of anything in the existing Statutes to augment the number of Fellowships above eighteen; but they shall, if and as soon as the increased revenues of the College will conveniently permit, raise it to twenty-four at least; and no Fellow hereafter to be elected shall receive more than Two hundred and fifty pounds a year in respect of his Fellowship (exclusive of rooms, or any allowance in respect thereof, but inclusive of all other allowances), so long as the number shall be less than twenty-four. This direction, however, shall be without prejudice to the power of the Warden and Fellows to apply any part of such increased revenues to other College purposes.

26. The Warden and Fellows shall once at least in every ten years lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the time which shall have elapsed since the date of the last statement (as the case may be), and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than Three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above twenty-four, or that any part of such revenues shall be applied in increasing the number or emoluments of

the Postmasterships, Scholarships, or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

27. In elections to the Postmasterships of the foundation of John Wyllyot, the Scholarships of the foundation of Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, no person shall be either entitled to preference or ineligible on account of his place of birth or place of education, or by reason of his being or not being of the kindred of any person named in any Statute, Will, Deed, or other instrument of foundation.

28. The Postmasters, Scholars, and Exhibitioners of the said foundations shall be elected by the Warden and such of the Fellows as shall be Tutors or Lecturers of the College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time being and the instruments of foundation of the said Postmasterships, Scholarships, and Exhibitions respectively,) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be admitted a Postmaster, Scholar, or Exhibitioner, as the case may be. Every election of Scholars of the foundation of Henry Jackson shall require confirmation by the Visitors of that foundation. The election of Postmasters, Scholars, and Exhibitioners shall take place on a stated day or stated days in each year to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained); and notice of such intended election shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

29. The Postmasterships of the foundations of John Wyllyot and John Chamber, the Scholarships of the foundation of Henry Jackson, and the Exhibitions of the foundation of Edmund Arnold, shall respectively be tenable for twenty Terms from election, (inclusive of the Term in which the election shall have taken place,) and no longer. The Warden and Fellows shall not be required to elect to more than three Postmasterships of the foundation of John Wyllyot, or more than one Scholarship of the foundation of Henry Jackson, in any one year. In case, in any election to a Postmastership of the foundation of John Chamber, no candidate shall offer himself duly qualified by nomination and otherwise according to the instrument of foundation, and whom the Warden and Fellows shall deem of sufficient merit to be admitted a Postmaster, the Postmastership shall be thrown open for that turn to all persons educated for not less than two years in the School of Eton College; and in default of a candidate so educated, whom the Warden and Fellows shall deem of sufficient merit for election, the election to the Postmastership shall be thrown open for that turn to general competition, and shall be held in the same manner and after the same previous notice as the elections to Postmasterships of the foundation of John Wyllyot.

30. The Warden and Fellows may deprive any Postmaster, Scholar, or Exhibitioner of his Postmastership, Scholarship, or Exhibition for any misconduct which, in their judgment, shall merit deprivation.

31. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate reve-

nues of the College, as they might have done if those Statutes had contained no such clause or provision.

32. The power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

33. Whenever there shall be no duly qualified candidate for a vacant Fellowship, for a Postmastership of the foundation of John Chamber which shall have been thrown open as aforesaid, for a Postmastership of the foundation of John Wyllyot, or for a Scholarship or Exhibition, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship, Postmastership, Scholarship, or Exhibition, shall fall vacant and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Postmastership, Scholarship, or Exhibition, of Postmasters, Scholars, or Exhibitors respectively; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

34. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

35. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as

the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-Laws of the College in force for the time being so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, shall, before electing take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College which does or may prohibit or restrain, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching

any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Warden or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Postmaster, Scholar, or Exhibitioner who may have been deprived of his Postmastership, Scholarship, or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

43. It shall be lawful for the Visitor either *proprio motu* or on the complaint of the Warden or any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

44. The power given by the existing Statutes to the Warden and ten or eight senior Fellows of making Statutes, Rules, or Byelaws shall not hereafter be exercised.

45. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the admission of strangers into the precincts of the College, and respecting the service of the College; and respecting progresses and the appointment of bailiffs and other matters relating to the supervision of the property of the College, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinbefore provided.

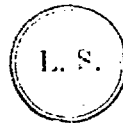
46. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

47. Whenever the Words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the Word "Fellows" shall mean actual Fellows; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest (being such an interest as

is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this nineteenth day of February, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, May 6, 1857.

WHEREAS the Commissioners appointed for the purpose of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary, Winchester," have made the following ORDINANCE, dated the 19th day of February, 1857, in relation to PEMBROKE COLLEGE in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; and NOTICE is hereby given that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the Commissioners appointed for the purposes of the Statute 17th and 18th Vict. c. 81, in relation to Pembroke College, in the University of Oxford.

WE, the Commissioners appointed for the purposes of an Act passed in the Seventeenth and Eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Pembroke College in the said University:—

1. In elections to the office of Master of the said College, no person shall be entitled to preference on account of his being or having been a Fellow of the College, or a Member of Balliol College or of University College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being) who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Master without his consent; provided also, that the Visitor, upon the petition of the Master,

or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent, shall be presented to him, to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Master except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Vice-Master in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. The Fellowship of the foundation of King Charles the First, within the College, shall be converted into Scholarships in manner hereinafter mentioned.

5. From and after the first vacancy which shall occur in the said Fellowship (or, if the same shall be vacant when this Ordinance shall be approved by Her Majesty in Council, then from and after such approval), that proportion of the whole sum payable to the College on account of the said foundation, which by the Letters Patent of King Charles the First, dated the Seventeenth day of June in the eleventh year of his said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

6. The number of the said Scholars shall be such as the Master and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below fifty pounds *per annum*. The senior for the time being in residence of the King Charles the First's Scholars shall always be entitled to rooms within the College rent-free.

7. The King Charles the First's Scholars shall be elected by the Master and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two

years last preceding the election either at Victoria College in Jersey or at Elizabeth College in Guernsey.

8. The election of the King Charles the First's Scholars shall take place on the same day as that fixed for the election of Abingdon Scholars, subject to the provisions for postponement hereinafter contained. The candidates shall be examined in such subjects and in such manner as the Master and Fellows shall determine; and that candidate (being otherwise duly qualified according to the Statutes in force for the time being) shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

9. The emoluments of all the Fellowships within the College (except the Fellowship of King Charles the First's foundation), including so much of the yearly sum payable under the said Letters Patent of King Charles the First as is not thereby appropriated to the maintenance of the last-mentioned Fellowship, and the emoluments of the several Scholarships of the foundations of Thomas Tesdale, Richard Wightwick, Francis Wightwick, Sir John Benet, and Sir John Phillips, and also any sum which may become available by the commutation of the Master's emoluments, shall be consolidated into a Common Fund for the maintenance of Fellowships and incorporated Scholarships within the College, in manner hereinafter mentioned.

10. All the emoluments of each of the said Fellowships and Scholarships which would have been payable to the Fellow or Scholar for the time being if this Ordinance had not been made, from and after the next vacancy, or as to any of them which may be vacant when this Ordinance shall be approved by Her Majesty in Council, from and after such approval, and any sum which may become available by the commutation of the Master's emoluments, from and after the time when such commutation shall come into operation, shall be carried to a general account in the College books, and all monies carried to such general account shall be applicable to the following purposes, but (subject to the provisions of this Ordinance as to the number of Fellowships and Scholarships, and the emoluments of Fellows and Scholars hereafter to be elected) in such order, manner, and proportions as the Master and Fellows shall think most expedient: namely—

- (1.) In equalizing as far as may be, after the number of the Fellows of the College shall be reduced to ten, the incomes of the Fellows for the time being, and in increasing such incomes to any amount not exceeding Two hundred pounds a year each:
- (2.) In increasing the stipends or emoluments of all or any of the present incorporated Scholars of the College elected since the passing of the said Act:
- (3.) In payment of the stipends or emoluments of incorporated Scholars and Fellows hereafter to be elected pursuant and subject to the provisions of this Ordinance:

Provided that any money which may not be required for any of the aforesaid purposes may from time to time be retained and accumulated, and the accumulations may be applied to all or any of those purposes, as the Master and Fellows shall think fit, and that nothing herein contained shall prejudice the right of the Master and Fellows to apply any part of the corporate revenues of the College to the payment of stipends to College officers, or other corporate purposes.

11. The number of Fellowships within the College shall never be less than ten, but, subject to this provision, shall be as great as the Master and

Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the Common Fund; provided that no Fellow shall receive out of the Common Fund more than Two hundred pounds in a year whilst the number of Fellowships shall be less than sixteen, or the number of incorporated Scholarships less than sixteen, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship.

12. No Fellow hereafter to be elected shall be entitled to receive out of the Common Fund in any year a larger sum than any other Fellow hereafter to be elected.

13. There shall always be two Fellows of the College who shall be called the Sheppard Fellows, of whom one shall be called to the Bar, or be admitted an advocate at Doctors' Commons, as soon as he lawfully can after his election; and the other shall, as soon as he lawfully can after his election, proceed to the degrees of Bachelor and Doctor of Medicine in the University. Any Sheppard Fellow not complying with this provision shall vacate his Fellowship; Provided that the Master and Fellows may allow such call or admission or the taking of any such degree (as the case may be) to be postponed for any period not exceeding (except in case of grave illness or unsoundness of mind) two years.

14. No present or future Fellow shall be incapable of being elected to and holding any College office by reason of his being a member of any particular foundation.

15. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or of his being or not being, or having been or not having been, a Scholar or Member of the College, or of any particular foundation therein, or of any school, or of his being or not being capable of being elected to any other emolument in the College, or of his pecuniary circumstances, or of his having or not having taken any degree: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

16. The election of Fellows and Scholars shall be vested in the Master and Fellows present at the time of election, the vote of the Master being counted as two votes; in case of an equality of votes, the Master shall have an additional casting vote.

17. The election of Fellows shall be held in Hilary Term, on a stated day to be appointed by the Master and Fellows (subject to the provisions for postponement hereinafter contained), and notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine, provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the

Statutes in force for the time being) who after such examination shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College, as a place of religion, learning and education.

19. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academic office within the University of Oxford), shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for income or property tax), shall exceed Three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions as aforesaid, shall exceed Five hundred pounds, vacate his Fellowship on the First of January next after he shall so be instituted or admitted or become entitled as aforesaid; and for this purpose the income which the estimated value of any property would produce if invested in Government securities at the price current at the time of the acquisition thereof shall, in case of doubt, be considered to be the income derivable from such property: Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice: Provided that, if any Fellow who shall become possessed of any such property or pension as aforesaid, shall, at the time of his becoming possessed thereof, hold the office of Dean, Tutor, or Lecturer within the College, and shall be found very useful in such office, the Master and Fellows may retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow: Provided also, that this power shall be exercised, if at all, at the next stated general meeting after the day on which the Fellowship would otherwise be vacated. Upon ceasing to hold one of such offices within the College, the Fellow so retained shall vacate his Fellowship.

20. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and also they may not have passed the examination required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(a) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given, the Master's vote being counted as two votes.

(b) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Master's vote being counted as two votes,

21. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of the election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

22. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

23. Not more than one Fellowship shall at one time be held by Professors or Public Lecturers elected as such under Clause 20 of this Ordinance, or retained under Clause 22 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

24. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing Clauses numbered 20 and 22, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows and shall not be entitled to vote on any occasion as Fellows or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted amongst the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. Every Fellow who shall be elected to and accept a Headship, or Fellowship in any other College shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing statutes shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations, from time to time, and may enforce such regulations if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Fellows.

28. No present or future Fellow or Scholar shall be bound, as a condition of retaining his Fellowship or Scholarship, to enter into Holy Orders or to proceed to the Degree of Bachelor of Divinity, or (not being in Holy Orders) to study theology. But if at the time of holding an election to any Fellowship, other than a Sheppard Fellowship, there shall not be four Fellows in Holy Orders, the whole number of Fellowships (other than Sheppard Fellowships), being eight, or if there shall not be five, the whole number of Fellowships (other than Sheppard Fellowships) being above eight, but below twelve,—or six, the whole number of Fellowships (other than Sheppard Fellowships) being above eleven, but below fifteen,—no person shall be capable of being elected to such vacant Fellowship who shall not then be a priest or deacon of the United Church of England and Ireland.

29. No Fellow hereafter to be elected shall vacate his Fellowship by reason of his having held the same during any period, of time mentioned in any Statute of the College or in any instrument of foundation; and no present or future Fellow or Scholar shall be disqualified for retaining his Fellowship or Scholarship by reason of his having refused to be presented to any benefice.

30. The number of incorporated Scholarships within the College shall never be less than ten, exclusive of the King Charles the First's Scholarships and Bishop Morley's Scholarship, but, subject to this provision, shall be as great as the Master and Fellows shall from time to time determine, having regard to the requirements of the College and the amount of the Common Fund.

31. Every person hereafter to be elected to any of the incorporated Scholarships, except the King Charles the First's Scholarships and Bishop Morley's Scholarship, shall receive not less than fifty pounds a year out of the Common Fund, inclusive of all allowances; and shall be entitled to rooms within the College rent-free.

32. Of the incorporated Scholarships within the College there shall always be five at least which shall be called "Abingdon Scholarships" to be filled up by the election of persons educated at Abingdon School for the two years last preceding the day of election; such of the present Scholars of the College on the foundations of Thomas Tesdale and Richard Wightwick as have not been elected as of kin to the respective founders, but as Scholars in Abingdon School, being for the purpose of such computation, counted as Abingdon Scholars. It shall be lawful for the Master of Abingdon School, the Master of Christ's Hospital at Abingdon, and the two senior Governors of the same Hospital, or the major part of them, to nominate every year, for one Abingdon Scholarship, one or more candidate or candidates, qualified as above mentioned, and the Master and Fellows shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, after an examination in such subjects and conducted in such manner as the said Master and Fellows shall determine. In case of an equal division of votes among the nominators to the Abingdon Scholarships, the Master of Abingdon School shall have an additional casting vote.

33. In nominations and elections to the Abingdon Scholarships, no person shall be entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation, or by reason of his being or not being a Scholar of any particular foundation in Abingdon School.

34. The election of Abingdon Scholars shall take place annually in Hilary Term, on a day to be fixed by the Master, who shall give notice thereof

to the Master of Abingdon School before the end of the preceding Michaelmas term.

35. In elections to the Scholarships to be maintained out of the Common Fund (other than the said Abingdon Scholarships) no person shall be entitled to preference or ineligible on account of his place of birth or place of education, or of his being or not being of the name, lineage, or kindred of any person named in any statute, charter, or other instrument of foundation; or by reason of his being or not being capable of being elected to any other emolument in the College, or of his being or not being of such standing in the University as is required by any instrument of foundation relating to any Scholarship now existing in the College.

36. The elections to the Scholarships to be maintained out of the Common Fund (other than the Abingdon Scholarships) shall take place annually in Hilary Term, on a day to be fixed by the Master (subject to the provisions for postponement hereinafter contained), and notice of such intended election shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

37. The Scholars to be maintained out of the Common Fund (other than the Abingdon Scholars) shall be elected by the Master and Fellows after an examination of the candidates in such subjects and conducted in such manner as the Master and Fellows shall determine; and that candidate shall be elected (being otherwise duly qualified according to the Statutes in force for the time being) who after such examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

38. No person who shall have attained the age of twenty years shall be capable of being elected to any of the Scholarships to be maintained out of the Common Fund.

39. The two Scholarships of the foundation of Edmund Boulter and the Exhibition of the foundation of Dr. John Radcliffe shall be consolidated in manner following; namely, the said Scholarships and Exhibition shall, as vacancies occur therein, not be filled up, but all the emoluments thereof respectively which would have been payable to the persons elected into the same and their successors, had the same been filled up, shall be applied, as they become available, in maintaining two Scholars within the College, to be called "The Boulter and Radcliffe Scholars," each of whom shall receive yearly one-half of the total amount of such emoluments. The time when the first election shall be held to each of the said Boulter and Radcliffe Scholarships shall be in the discretion of the Master and Fellows.

40. The election to the Boulter and Radcliffe Scholarships shall be held on the same days, in the same manner and after the same previous notice as to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the Common Fund. In elections to them no person shall be entitled to preference or ineligible on account of his parentage or place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being intended for any particular profession.

41. The five Scholarships of Bishop Morley's foundation shall be consolidated into one Scholarship, to be called "Bishop Morley's Scholarship," the holder of which shall be considered as one of the incorporated Scholars of the College, and to which the same persons shall be eligible, and the day and manner of election shall be the same, as to the King Charles the First's Scholarships. The Bishop Morley's Scholar shall be entitled to rooms rent-free, to be assigned to him by the Master. He shall not be required to enter into the promise

or engagement or into the obligation which the Scholars of Bishop Morley's foundation are by the instrument of foundation now required to enter into.

42. The elections to the King Charles the First's Scholarships and Bishop Morley's Scholarship shall, as to the years in which the same shall be held, be so regulated with reference to the elections to Scholarships on King Charles the First's foundations at Exeter College and Jesus College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Master and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Jesus College, and may suspend the elections to the said King Charles the First's and Bishop Morley's Scholarships within Pembroke College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the Scholarships on either or both of those two foundations, in such manner as they shall think fit.

43. The three Scholarships of the foundation of Francis Rous shall be consolidated into one Scholarship, to be called the "Rous Scholarship." In elections to the Rous Scholarship no person shall be entitled to preference by reason of his being of the posterity or consanguinity of any person named in any instrument of foundation or of his intending to take Holy Orders; and no person shall be ineligible by reason of his having ten pounds *per annum*. But as often as it shall become vacant it shall be lawful for the Head Master of the School of Eton College to nominate for such Scholarship one or more candidate or candidates, being a Scholar or Scholars of Eton College, educated for not less than two years in that College. And the Master and Fellows of Pembroke College shall elect the candidate (if but one) or the most proficient of the candidates (if more than one) so nominated, if in their judgment of sufficient merit, and otherwise qualified for election, after an examination in such subjects and conducted in such manner as the said Master and Fellows shall determine.

44. The two Scholarships of Dame Elizabeth Holford's foundation shall be consolidated into one Scholarship, to be called the "Holford Scholarship." The Holford Scholar shall be elected by the Master and Fellows from candidates being Scholars of the Charter House School, on the foundation of Thomas Sutton, after a competitive examination of such candidates. If on any vacancy two or more of such candidates shall not present themselves, or if of the candidates who shall present themselves there shall be none whom the Master and Fellows shall judge of sufficient merit and otherwise qualified for election, the Scholarship shall be thrown open for that turn to all Scholars of the Charter House School, educated for not less than two years at that school.

45. The consolidation of the Bishop Morley, Rous, and Holford Scholarships shall be effected in the same manner, *mutatis mutandis*, as that of the Boulter and Radcliffe Scholarships.

46. The elections to the Rous and Holford Scholarships and to the Scholarships of the foundation of George Townsend shall be held on the day which shall be appointed for elections to the Abingdon Scholarships. The Master shall, in each case, before the end of the preceding Michaelmas Term give notice of the intention to elect a Rous Scholar to the Head Master of the School of Eton College, of the intention to elect a Holford Scholar to the Head Master of the Charter House School.

and of the intention to elect a Scholar or Scholars on George Townsend's foundation to the Head Master or Head Masters of the School or Schools from which, according to the instrument of foundation of those Scholarships, the vacancy or vacancies is or are to be filled up.

47. Whenever a King Charles the First's Scholarship, an Abingdon Scholarship, a Bishop Morley, Rous, or Holford Scholarship, or a Scholarship on George Townsend's foundation, shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified by nomination or otherwise according to the foregoing provisions, or, in the case of a Townsend Scholarship, qualified according to the instrument of foundation of those Scholarships, (as the case may be,) whom the electors shall judge of sufficient merit for election, such Scholarship shall be thrown open for that term, and the election shall be postponed to a day, to be fixed by the Master and Fellows, not later than the next ensuing day of election to the Scholarships (other than the Abingdon Scholarships) to be maintained out of the Common Fund, and shall be conducted in the same manner and after the same previous notice as the election to such Scholarships.

48. Whenever there shall be no duly qualified candidate for a vacant Fellowship or for any Scholarship to be maintained out of the Common Fund (other than an Abingdon Scholarship), or for any Scholarship which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election to that Fellowship or Scholarship shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the day which shall be appointed for the election, in the case of a Fellowship, to Fellowships, and in the case of a Scholarship, to Scholarships to be maintained out of the Common Fund (other than Abingdon Scholarships), in the next year; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

49. All the Scholarships to be maintained out of the Common Fund, the King Charles the First's Scholarships, Bishop Morley's Scholarship, the Boulter and Radcliffe Scholarships, the Rous Scholarship, and the Holford Scholarship, shall respectively be tenable for five years and no longer, except in the case of any Scholar to whom the Master and Fellows may grant an extension of time, which shall in no case exceed two years from the expiration of the said term of five years: Provided, that in the case of any Scholarship the election to which shall have been postponed under the foregoing provision the said term shall be computed from the day on which the election would have taken place if there had been no postponement. And every incorporated or unincorporated Scholar who shall marry, or shall be elected to a Fellowship in the College, or to a Fellowship or Scholarship in any other College, shall, thereupon, vacate his Scholarship; but no Scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property exceeding in value ten pounds a year.

50. The Master and Fellows may grant leave of absence from the University to any Scholar so often and for so long as they may think fit without forfeiture or diminution of the emoluments of his Scholarship.

51. The Fellows and Scholars to be maintained out of the Common Fund, the King Charles the First's Scholars, and Bishop Morley's Scholar, shall

be subject, as regards qualification for election and otherwise, to the Statutes of the College in force for the time being; and all the Scholars shall be subject to such regulations as to their residence, instruction, discipline, and attendance on Divine Worship, as the Master and Fellows shall from time to time determine, and shall be subject to deprivation by the Master and Fellows for such misconduct as in the judgment of the Master and Fellows may merit deprivation.

52. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

53. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected to a Fellowship shall, on his admission, make a declaration to the effect that he will obey the Statutes and Byelaws of the College in force for the time being, and will faithfully discharge his duties as a Fellow of the College; and every person elected to a Scholarship shall, on his admission, be admonished by the Master to obey the Statutes of the College in force for the time being so far as they may concern him; and every person admitted to the Mastership or to any College office on admission to which any oath is by the Statutes now in force prescribed to be taken, shall make a declaration to the effect that he will faithfully discharge the duties of such office, and obey the Statutes and Byelaws of the College in force for the time being.

54. No member of the College shall hereafter be bound by any resolution of the Master and Fellows respecting the election to any University office.

55. The Master and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Master or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Mastership shall not be deemed to be an office within the meaning of this clause.

56. The Master and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and

Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

57. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the deprivation of Fellows and Scholars. Subject to the foregoing provisions, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the Master shall have an additional casting vote. Any statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be hereafter void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings of College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

58. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master and the power of any officer of the College who may hereafter be authorized by any Statute or byelaw to act in place of the Master shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

59. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members, and respecting the preaching and hearing of University sermons by the members of the College, and respecting the dress and other personal habits of its members, and the conditions of their going beyond the precincts of the College, and respecting the meals of the members of the College, and the mode of serving and conducting the same, and respecting the punishments for offences not being such as require deprivation, and respecting the admission of strangers into the precincts of the College, and respecting the reading of the Statutes, and respecting the number, duties, and payment of the servants of the College, and respecting the custody of the monies, plate, and other goods of the College other than the muniments and seals, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

60. The Master and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional

information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College.

61. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

62. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

63. As often as any question shall arise on which the Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Masters and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

64. It shall be lawful for the Master or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

65. It shall be lawful for the Visitor, either *proprio motu* or on the complaint of the Master or of any of the Fellows, to disallow and annul any byelaw or resolution of the Master and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

66. The Master and Fellows may from time to time at any stated general meeting, subject to the provisions of the Section numbered XL. in the Queen's Printers' copy of the said Act, by a majority of not less than two-thirds of the votes of those present, the vote of the Master being counted as two votes, repeal or alter from time to time any of the Statutes of the College in force for the time being, with the consent of the Visitor.

67. This Ordinance shall be without prejudice to the right (if any) of any Scholars of the College elected before the passing of the said Act to succeed or be elected to Fellowships; and the words "present Fellows of the College" are in this Ordinance intended to include any persons who may succeed or be elected to Fellowships by virtue of

any such right; and the words "Fellows hereafter to be elected" are intended not to include such persons.

68. This Ordinance shall also be without prejudice to the right (if any) of any of the present Fellows of the College, under the Statutes or under any Instrument of Foundation, to receive the emoluments of any Fellowships or Fellowship which may be or become vacant during the vacancy thereof, and shall be otherwise without prejudice to any existing interest, (being such an interest as is intended to be saved by the said Act), of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this nineteenth day of February, one thousand eight hundred and fifty-six.



Council-Office, Whitehall, May 6, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have made the following ORDINANCE, dated the 4th day of March, 1857, in relation to UNIVERSITY COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the Commissioners appointed for the Purposes of the Statute 17th and 18th Vict. c. 81, in relation to UNIVERSITY COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act, passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the College of the Great Hall of the University, otherwise called University College.

1. In elections to the office of Master of the said College, no person shall be entitled to preference by reason of his being or having been a Fellow or Scholar of the College, or educated therein. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each

year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term; and in case of his being detained from residence, by sickness or any other urgent cause, during any portion of the period hereby prescribed, he shall forthwith notify the same, and the cause thereof, to the Lord Chancellor. These regulations shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Master, without his consent: Provided also, that the Lord Chancellor, upon the petition of the Master, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his office, the Vice-Gerent shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them. And if upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Lord Chancellor that the Master has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such two Fellows as by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Gerent shall be presented to him, to be Pro-Master of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Lord Chancellor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Pro-Master shall, so long as the Master shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Master shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Pro-Master in the same manner. It shall be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his aptitude or want of aptitude for any particular Faculty men-

tioned in the Statutes, or of his having or not having taken any degree, or of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which if acquired after election, would have disqualified him for continuing a Fellow. No person shall, (except by virtue of Clause 18 of this Ordinance,) be incapable of admission to a Fellowship on account of his not being in Holy Orders.

6. The election of Fellows shall take place on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement hereinafter contained); and notice of every intended election, and of the conditions of election, shall be given by the Master, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every person elected to a Fellowship shall be entitled to receive during the period of probation the same emoluments as if he had been admitted an actual Fellow.

9. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled in possession, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, for his life or for any greater estate, to property, real or personal, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions, (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Government securities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice: Provided that, if any Fellow who shall become possessed of any such property, pension, or office as aforesaid shall then hold any educational office within the College, and shall be found very useful in such office, the Master and Fellows may, by a resolution adopted at some stated general meeting

previous to the day on which the Fellowship would otherwise be vacated, retain him in his Fellowship, either with or without the emoluments of the same, but with all the other rights and privileges of a Fellow. Upon ceasing to hold an educational office in the College, the Fellow so retained shall vacate his Fellowship.

10. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes; and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Master and all the Fellows shall have been given.
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

11. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

12. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows; or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Master and all the Fellows; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

13. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers elected as such under Clause 10 of this Ordinance, or retained under Clause 12 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

14. Every Professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing Clauses numbered 10 and 12, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

15. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy

such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

16. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College, shall thereupon vacate his Fellowship.

17. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

18. No present or future Fellow shall be bound, as a condition of retaining his Fellowship, to enter into Holy Orders, or not being in Holy Orders, to study Theology. But if at the time of holding an election to a Fellowship, there shall not be six Fellows of the College in Holy Orders, no person shall be eligible to such Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that it shall be lawful for the Master and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

19. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Lord Chancellor as is hereinafter provided: Provided that this Clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

20. The number of Fellowships within the College shall never be less than twelve, inclusive of the Fellowship which the Master and Fellows were by an Ordinance, dated the ninth day of June, one thousand eight hundred and fifty-six, empowered to suspend, unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Master, and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of in-

creasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

21. The Masters and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the said Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the said Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine.

22. The following Scholarships or Exhibitions shall hereafter be Scholarships of the College, namely:—

The four Scholarships of the foundation of Sir Simon Bennet.

The two Scholarships of the foundation of Dr. John Browne.

One Scholarship of the foundation of Mr. Thomas Browne, the holder of which shall receive all the emoluments now belonging to the two Scholarships of that foundation.

The Scholarship of the foundation of Mr. Otho Hunt.

The Scholarship of the foundation of Dr. Shepherd.

One other Scholarship to be henceforth maintained out of the corporate revenues of the College.

23. In elections to Scholarships of the College, no person shall be ineligible or entitled to preference on account of his place of birth, or of his being or not being of the name or kindred of any person named in any instrument of foundation. No person shall be eligible who shall have completed the eighth Term from that of his matriculation inclusive.

24. The emoluments of every Scholar of the College shall be not less than Fifty pounds per annum, inclusive of all allowances except for rooms; and every Scholar shall be entitled, during residence, to an additional allowance of Ten pounds per annum for rooms; the deficiency (if any) of the revenues of each foundation shall be made up out of the emoluments of any Fellowship which may be suspended by virtue of the said Ordinance of the ninth day of June, one thousand eight hundred and fifty-six, or, if there shall not be a sufficient amount available from that source, out of the corporate revenues of the College.

25. The Scholarships of the College shall be tenable for such a period, being not less than five years, nor more than six years, from the day of election inclusive, as the Master and Fellows shall

from time to time at any stated general meeting determine. The Master and Fellows shall not be required to fill up more than two Scholarships of the College in any one year. Every Scholar or Exhibitioner who shall marry, or be elected to a Fellowship, or cease to be a Member of the College, shall thereupon vacate his Scholarship or Exhibition.

26. The election of Scholars of the College shall be held on a stated day in each year, to be appointed by the Master and Fellows (subject to the provision for postponement hereinafter contained); and thirty days at least before the day of election, notice of every intended election shall be given by the Master in such manner as he shall deem best adapted to ensure publicity.

27. The candidates for the Scholarships of the College shall be examined in such subjects and in such manner as the Master and Fellows shall appoint; and that candidate (being otherwise duly qualified according to the Statutes of the College in force for the time being) shall be elected, who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

28. In elections to the Scholarships or Exhibitions of the foundation of Mr. John Freeston, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference by reason of his having been educated at any school other than the schools individually named in the instrument of foundation, or by reason of his having been educated at any school, unless he shall have been educated at such school for two years at least next preceding the day of election. Thirty days at least before the day of election to a Scholarship or Exhibition of that foundation, notice of every intended election, and of the conditions of election, shall be given by the Master to the Head Masters of the schools individually named as aforesaid.

29. In elections to the Scholarships or Exhibitions of the foundation of Robert Gunsley, Clerk, no person shall be ineligible or entitled to preference by reason of his place of birth; and no person shall be entitled to preference on account of his being a Scholar of any school, unless he shall have been educated at such school for one year at least next preceding the day of election.

30. The four Exhibitions of the foundation of Mr. William Lodge shall be consolidated into two Exhibitions, which shall be bestowed by the Master and Fellows on the Bible Clerks, or such other deserving members of the College as they shall deem to be most in need of support at the University, without preference on account of kinship or place of birth.

31. The Scholarships or Exhibitions of the foundations of Robert Dudley, Earl of Leicester, Mr. John Freeston, Robert Gunsley, Clerk, and Mr. William Lodge, shall be tenable till the completion of eighteen terms from matriculation inclusive, and no longer.

32. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Master and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars of the College; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

33. Whenever there shall be no candidate for a vacant Scholarship or Exhibition of the foundation of Mr. John Freeston, duly qualified in respect of his place of education, whom the electors shall judge of sufficient merit for election, the Scholarship or Exhibition shall be thrown open for that turn to general competition, and the election shall be held on a day to be appointed by the Master and Fellows, not later than the next ensuing stated day of election to Scholarships of the College.

34. The Master and Fellows may, if they shall think fit, commute the stipend now payable to every Fellow of the College, or any part of such stipend, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Lord Chancellor, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if he shall think fit.

35. The Master and Fellows may from time to time regulate, as they shall think fit, the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Lord Chancellor, upon the petition of the Master, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Mastership shall not be deemed to be an office within the meaning of this clause.

36. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: if the votes shall be equal, the Master shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

37. The power which is given by the existing Statutes to the Vice-Gerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

38. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, and the disputations and other exercises to be performed by its members; and respecting the punishments for

offences not being such as require deprivation; and respecting the reading of the Statutes; and respecting the custody of the monies and other goods of the College, other than the muniments and seal, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby as is herein-after provided.

39. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the said Lord Chancellor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. The Master and Fellows shall, as often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

41. It shall be lawful for the Master or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act, or decision, or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

42. It shall be lawful for the Lord Chancellor, on the complaint of the Master, or of any of the Fellows, to disallow and annul any byelaw or resolution of the Master and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

43. The Master and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL in the Queen's Printer's copy of the said Act, repeal or alter any of the Statutes of the College in force for the time being, with the consent of the Visitor.

44. In the construction of this Ordinance the words "Lord Chancellor," shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being.

45. In the construction of this Ordinance, the Fellowships and Fellows of the College shall be taken to be the Fellowships and Fellows of the foundations mentioned in the existing Statutes of the College, and no others.

46. Whenever the words, "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows," shall mean actual Fellows, and nothing herein contained shall be

construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

47. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest, (being such an interest as is intended to be saved by the said Act,) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this fourth day of March, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, May 6, 1857.

WHEREAS the following STATUTE, relating to the Westminster Scholarships at TRINITY COLLEGE, in the University of CAMBRIDGE, made by the major part of the Governing Body of the said College (with the sanction of the Dean and Chapter of Westminster), under the authority of the Act of the 19th and 20th Vict., cap. 88, intituled "An Act to make further Provision for the good Government and Extension of the University of Cambridge, of the Colleges therein, and of the College of King Henry the Sixth at Eton," and approved by the Commissioners appointed for the purposes of that Act, have been this day laid before Her Majesty in Council, the same are published in pursuance of the provisions of the said Act. And NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 39th section of that Act, within one month after this publication, to petition Her Majesty in Council, praying Her Majesty to withhold her approbation of the whole of such Statute, or of any part thereof.

Wm. L. Bathurst.

Statute above referred to:

WHEREAS by the Statutes of Trinity College, and by the laws and practice of Westminster School, certain Scholarships in this College have been annually appropriated to Scholars of the said School elected therefrom; it is ordained that henceforth all the Scholarships of this College, when vacant, shall be filled up without preference to the said School. And it is ordained also that there shall be given from the revenues of the College an annual sum of forty pounds to each of such number of Exhibitioners as shall be elected from Westminster School and admitted to the College, not more than three being elected in any one year, for or towards his maintenance, from the time of his commencing his residence in the said College, and during such residence, until, by the Statutes of the University, he shall be qualified to apply for the degree of Bachelor of Arts: Provided always, that he shall have shewn himself apt and fit as other students admitted to the said College, and provided also that no such Exhibition shall be held for more than three years and a quarter. And no such Exhibitioner shall, as such, be disqualified from being elected a Scholar of the said College, and holding the Scholarship together with his Exhibition. And such Exhibitioners shall be entitled to enjoy all the benefactions specially bequeathed to, or settled upon, the Scholars here-

tofore elected from Westminster School, in as full a manner as such Scholars have heretofore enjoyed the same.

Now we, the said Commissioners, by virtue of the powers vested in us by the said Act, do hereby approve of the said Statute in the words and form above recited.

Given under our Common Seal, this third day of April, in the year of our Lord one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, May 6, 1857.

WHEREAS the following STATUTE, relating to the Grindal Fellowship and Scholarships at PEMBROKE COLLEGE, in the UNIVERSITY OF CAMBRIDGE, made by the major part of the Governing Body of the said College (with the consent of the Governing Body of the Free Grammar School of Saint Bees), under the authority of the Act of the 19th and 20th Vict., cap. 88, intitled "An Act to make further Provision for the good Government and Extension of the University of Cambridge, of the Colleges therein, and of the College of King Henry the Sixth at Eton," and approved by the Commissioners appointed for the purposes of that Act, have been this day laid before Her Majesty in Council, the same are published in pursuance of the provisions of the said Act. And NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 39th section of that Act, within one month after this publication, to petition Her Majesty in Council, praying Her Majesty to withhold her approbation of the whole of such Statute, or of any part thereof.

Wm. L. Bathurst.

Statute above referred to:

That no person, who after the confirmation hereof shall be elected a Grindal Scholar, shall thereby acquire any claim to be subsequently elected into the Grindal Fellowship. That from and after the first vacancy of the Grindal Fellowship which shall happen after the determination of the claims of those persons, who either before the confirmation hereof have held, or at the time of such confirmation are holding, Grindal Scholarships at the College, to be elected into the Grindal Fellowship, when vacant, the revenues of the College shall cease to be chargeable with the maintenance of a Grindal Fellow, and the Grindal Fellowship shall be abolished, and the Grindal Statutes cease to be in force. That until such abolition of the Grindal Fellowship, but no longer, the Master and Fellows shall continue to elect Scholars from Saint Bees School into the three Grindal Scholarships, and shall pay to each of

them so long as they severally hold the same, the annual sum of twenty-eight pounds. That upon the abolition of the Grindal Fellowship the Master, Fellows, and Scholars shall pay to the Wardens and Governors of Saint Bees School, in perpetuity, the annual sum of two hundred pounds, by equal half-yearly payments, on the 25th day of March and the 29th day of September in every year, the first payment to be made on such one of the said days as shall first occur after the said Fellowship has been abolished six whole months, such annual sum to be applied by the Wardens and Governors in providing Exhibitions, to be called "The Grindal Exhibitions" for meritorious Scholars educated at Saint Bees School, and proceeding therefrom to any College in the University of Cambridge, but without any liability on the part of the Master, Fellows, and Scholars to see to the application of such sum, for which the receipt of the Receiver of the revenues of the said School, being the "School Clerk" for the time being, shall be a sufficient discharge to the Master, Fellows, and Scholars. That such annual sum shall be paid by the Master, Fellows, and Scholars, out of the general revenues of the College. That out of the general revenues of the College the annual sum of one hundred and thirty-two pounds, being the excess of the aggregate of the present annual income of the Grindal Fellow, and the average annual payments to the Grindal Scholars, over the sum of two hundred pounds to be so paid to the Wardens and Governors of the said School, shall be applied by the Master, Fellows, and Scholars in providing Scholarships, to be called "The Grindal Scholarships," for such and so many of the Students at the said College as the Master and Fellows shall from time to time elect into such Scholarships, the same to be of such amount, and subject to such rules and regulations as to the continuance and enjoyment thereof, as the Master and Fellows shall from time to time direct. And, lastly, that the Governing Body of Saint Bees School shall convey to the Master, Fellows, and Scholars the reversion in fee simple, expectant upon the determination of the term of one thousand years, granted to the College by a certain indenture of demise, bearing date the first day of June, in the fourth year of the reign of His late Majesty King James the First, and made between the Keepers and Governors of Saint Bees School, of the one part, and the Master, Fellows, and Scholars, of the other part, in certain lands situate at Croydon, in the county of Surrey, called "Palmer's Fields," to be held by the College, as part of the general property thereof.

Now we, the said Commissioners, by virtue of the powers vested in us by the said Act, do hereby approve of the said Statute, in the words and form above recited.

Given under our Common Seal, this twenty-first day of March, in the year of our Lord one thousand eight hundred and fifty-seven.



Published by THOMAS LAWRENCE BEHAN, Editor, Manager and Publisher, of No. 7, Suffolk Place, Haymarket, at No. 45, St. Martin's Lane, both in the Parish of St. Martin-in-the-Fields, in the County of Middlesex.

Printed by THOMAS RICHARD HARRISON and THOMAS HARRISON, Printers, at their Office, No. 45, St. Martin's Lane, in the Parish and County aforesaid.

Monday, May 11, 1857.

Price One Shilling